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Counsel for Plaintiff Flextronics International USA, Inc.

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE CAPACITORS ANTITRUST LITIGATION

Master File No. 3:14-cv-03264-JD

MDL No. 3:17-md-02801-JD

Hon. James Donato

THIS DOCUMENT APPLIES TO:

FLEXTRONICS INTERNATIONAL USA, INC.'S ACTION

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL WITH
PREJUDICE BY FLEXTRONICS
INTERNATIONAL USA, INC. AND
AVX CORPORATION**

Plaintiff Flextronics International USA, Inc. (“Flex”) and Defendant AVX Corporation (“AVX”), by and through undersigned counsel, stipulate and agree that Flex hereby dismisses with

**STIPULATION AND [PROPOSED] ORDER OF
DISMISSAL WITH PREJUDICE
BY FLEX AND AVX**

1 prejudice all claims being asserted against AVX in the above-captioned actions pursuant to the
2 Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 41(a)(2). In support of this stipulation of
3 dismissal, the parties state as follows:

- 4 1. Flex and AVX seek the dismissal of this action with prejudice.
- 5 2. This stipulation does not affect the rights or claims Flex may have against any other
6 Defendant or alleged Co-Conspirator in this litigation.
- 7 3. Each party shall bear its own costs, expenses, and attorneys' fees.
- 8 4. The Court shall retain jurisdiction to enforce the terms of the parties' settlement
9 agreement.

10 WHEREFORE, the parties respectfully request that the Court issue the [Proposed] Order of
11 Dismissal.

12 **IT IS SO STIPULATED.**

13 Dated: March 17, 2022

14 Respectfully submitted,

15 By: /s/ Charles E. Tompkins

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By: /s/ Robert G. Kidwell

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**IN RE CAPACITORS ANTITRUST
LITIGATION**

Civil Case No. 3:14-cv-03264-JD

MDL No. 3:17-md-02801-JD

THIS DOCUMENT RELATES TO:

Hon. James Donato

FLEXTRONICS INTERNATIONAL USA, INC.'S INDIVIDUAL ACTION

[PROPOSED] ORDER

[PROPOSED] ORDER

Pursuant to stipulation and upon good cause, the Court ORDERS the following:

Pursuant to Rules 41(a)(1)(A)(ii) and 41(a)(2) of the Federal Rules of Civil Procedure, all claims asserted in the above-captioned action by Plaintiff Flextronics International USA, Inc. against Defendant AVX Corporation are DISMISSED WITH PREJUDICE. Each party shall bear its own costs and attorneys' fees. The Court shall retain jurisdiction to enforce the terms of the parties' settlement agreement.

IT IS SO ORDERED.

Dated: March 22, 2022

**HONORABLE JAMES DONATO
UNITED STATES DISTRICT JUDGE**

ATTESTATION

In accordance with Rule 5-1(h)(3) of the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California, I, Charles E. Tompkins, hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: March 17, 2022

/s/ Charles E. Tompkins

Charles E. Tompkins

*Counsel for Flextronics International USA,
Inc.*

CERTIFICATE OF SERVICE

In accordance with Rule 5-5 of the Local Rules of Practice in Civil Proceedings Before the United States District Court for the Northern District of California, I, Charles E. Tompkins, hereby certify under penalty of perjury under the laws of the United States of America that on March 17, 2022, a true copy of the above document was filed through the Court's Case Management/Electronic Case Filing ("CM/ECF") System and served by that System upon all counsel of record registered for the System and deemed to have consented to electronic service in the above-captioned case.

/s/ Charles E. Tompkins

Charles E. Tompkins

*Counsel for Flextronics International USA,
Inc.*